

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**SPEED WAY TRANSPORTATION,  
LLC, et al.,**

**Plaintiffs,**

**v.**

**Civil Action 2:20-cv-5047  
Judge Sarah D. Morrison  
Magistrate Judge Jolson**

**CITY OF GAHANNA, et al.,**

**Defendants.**

**SCHEDULING ORDER**

Based upon the parties' Report pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the Court **ADOPTS** the following schedule:

**VENUE AND JURISDICTION**

There are no contested issues related to venue or jurisdiction at this time.

**PARTIES AND PLEADINGS**

Any motion to amend the pleadings or to join additional parties shall be filed by June 12, 2023.

**ISSUES**

Plaintiffs originally alleged violations of their Right to Contract, Right to the Free Exercise of Religion, Right to Petition the Government, Equal Protection, and Due Process rights, as well as a Tortious Interference with Economic Advantage claim against Defendants. This stems from Defendants' denial of a towing contract bid submitted by Plaintiffs. Following appeal, only the Equal Protection Claim Based Upon National Origin and Religion remains. Defendants have not yet answered the Complaint as they filed a Motion to Dismiss the Complaint in its entirety, but Defendants deny any and all allegations of discrimination or unfair treatment alleged in the Complaint. Plaintiffs have demanded a jury. Defendants will file an answer within 30 days of this order.

**DISCOVERY PROCEDURES**

The parties agree that all discovery shall be completed by January 2, 2024. For purposes of complying with this order, all parties shall schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and shall file any motions relating to

discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court. To initiate a telephone conference, counsel are directed to join together on one line and then call the Magistrate Judge's chambers or provide the Court with a call-in number.

Based on the volume of ESI, the parties will coordinate either the production of hard copies or upload the ESI to a sharefile site.

### DISPOSITIVE MOTIONS

Any dispositive motions shall be filed by January 31, 2024.

### SETTLEMENT

Plaintiffs made a settlement demand, and Defendants responded. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator for a settlement conference in January 2024. In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the settlement conference. The parties understand that they will be expected to comply fully with the settlement order which requires *inter alia* that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

### OTHER MATTERS

None.

If the foregoing does not accurately record the parties' agreements, counsel will please immediately make their objection in writing. If any date set in this order falls on a Saturday, Sunday or legal holiday, the date is automatically deemed to be the next regular business day.

IT IS SO ORDERED.

Date: April 12, 2023

/s/ Kimberly A. Jolson  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE